

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14912 of Joel D'Orazio ad Alice Kresse, pursuant to 11 DCMR 3107.2, for a variance to allow an addition to a nonconforming structure [Paragraphs 2001.3(a), (b) and (c)], a variance from the allowable lot occupancy requirement (Sub-section 403.2), a variance from the minimum rear yard requirement (Sub-section 404.1), a variance from the side yard requirement (Sub-section 405.9), a variance from the width and area of a closed court requirements (Sub-section 406.1), and a variance from the floor area ratio requirements (Sub-section 402.4) for a proposed deck addition to an existing nonconforming single-family dwelling in an R-5-B District at premises 3319 - 16th Street, N.W., (Square 2676, Lot 474).

HEARING DATE: December 21, 1988

DECISION DATE: December 21, 1988 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of the public hearing on this application, by publication in the D.C. Register, and by mail to ANC 1A and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 1A. ANC 1A, which is automatically a party to the application, by letter dated December 14, 1988, supported the granting of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a variance from the strict application of the requirements of 11 DCMR 2001.3(a), (b) and (c), 403.2, 404.1, 405.9, 406.1 and 402.4.

No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the application has met the burden of proof

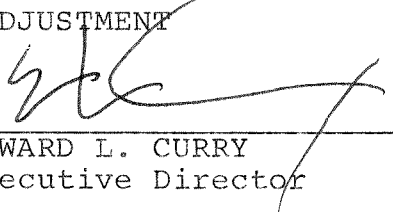
pursuant to 11 DCMR 3107, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulation and maps. It is therefore ORDERED that the application is GRANTED.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 4-0 (John G. Parsons, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to grant; Charles R. Norris not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: May 12 1984

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14912order/LJP44

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

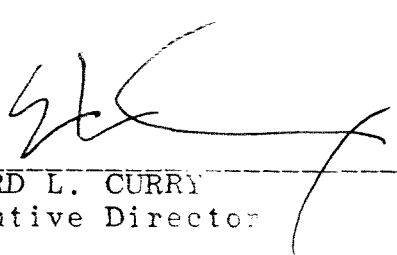


APPLICATION No. 14912

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated JA 2-23-80, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Joel D'Orazio & Alice Kresse
3319 16th Street, N.W.
Washington, D.C. 20010

Rosalie Foster, Chair
ANC 1A
3511 14th Street, N.W.
Washington, D.C. 20010


EDWARD L. CURRY
Executive Director

DATE: JA 2-23-80